

AMERI LAW FIRM
— Attorneys At Law —

March 21, 2022

Honorable Judge Julien Xavier Neals
Martin Luther King Jr. Federal Building & Courthouse
50 Walnut Street
Newark, NJ 07102

**Re: AIRTECH INTERNATIONAL INC v. YIM et al
Docket No.: 2:22-cv-00668**

Dear Honorable Neals:

In furtherance of the Plaintiffs bad faith, a subpoena was sent via email on Friday March 18, 2022 to Aperture Optical Sciences, Inc. as well as Communications & Power Industries LLC with a returnable date of March 21, 2022.

The Order under Section seven allows the Plaintiff to serve discovery on the Defendant only, not issue subpoena's outside of the rules for the production of unrelated documents depriving the Defendant of their right to due process to quash the same.

Moreover, none of these companies were the companies listed in Paragraph two (2) of the Courts Order.

R. 45(a)(4). (4) Notice to Other Parties Before Service. If the subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, then before it is served on the person to whom it is directed, a notice and a copy of the subpoena must be served on each party.

While not a federal case, our state court in Cavallaro v. Jamco Property Management, 334 N.J. Super. 557, 760 A.2d 353 (App. Div. 2000) have held this type of behavior to be a violation of RPC 3.4 (c) and afford the sanction of disqualification of the offending counsel for the same. A motion will be forthcoming on this issue, however we request that until such motion is filed no documents obtained from this improper subpoena be permitted for use in the instant hearing.

Primary Office (Hackensack)

58-60 Main Street, 3rd Floor,
Hackensack, New Jersey 07601

Tel. (201) 880-8999
Fax. (201) 580-4311

info@amerilawfirm.com
www.amerilawfirm.com

We thank the Court for its time and attention in this matter.

Sincerely,

AMERI LAW FIRM LLC
Nima Ameri, Esq.
Info@amerilawfirm.com

A handwritten signature in black ink, appearing to read "Nima Ameri, Esq.", is written over the printed firm name and contact information. The signature is fluid and cursive.

NA/nk

Cc: All Counsel of Record via PACER